

## COUNCIL CHAMBER

Regular Meeting

May 9, 2017

The thirty-third meeting of the City Council of Charleston was held this date convening at 5:02 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media May 3, 2017 and appeared in The Post and Courier May 7, 2017 and are made available on the City's website.

### PRESENT (12)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Williams	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Riegel	District 10
Councilmember Wagner ( <i>absent</i> )	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

Mayor Tecklenburg called the meeting to order at 5:02 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "Councilmember Williams, if everyone would like to join us, would you, please, lead us in a prayer and the Pledge of Allegiance."

Councilmember Williams said, "Thank you."

Councilmember Williams opened the meeting with an invocation.

Councilmember Williams then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "Thank you very much. Yes, I would like to let Councilmembers know that I did receive a call from Councilmember Wagner. He's out-of-town, he's in Atlanta and was not able to get back in time for the meeting today. So, we wanted to share with you that he wasn't going to be able to make it. If in the very unlikely event that there was some emergency, and we needed to evacuate the building, these are our two main exit doors. There is an exit door over from that room over there. Do not use the elevator if that were to occur, but go down to the double stairs, and then out of the front of the building, the single stairs to the street, and, again, an unlikely event, but if it were to occur, I'd ask you to meet together in Washington Park afterwards. So, first, I'd like to do just a couple of

proclamations, only two this month, or this meeting, and, first, I'd like to invite Shannon Walsh O'Brien. Are you here, Shannon? Oh, hey, Shannon. Michelle Zieg, Jennifer Millar, please come up, and join me up here. Our summer months are approaching, and we want to make sure that all our citizens enjoy swimming in our bodies of water. So, we have a proclamation about Water Safety Awareness Month."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATOIN---

Mayor Tecklenburg said, "I'm going to call on Shannon to come share a few words with us about water safety, but before she comes forward, I want to share with you that I met her over at our Martin Luther King Park Pool just about a month ago, and you would not believe the incredible program they have to teach our students, young kids, how to swim. They were coming from James Simons Elementary, I believe, and Memminger School, and she'll tell you the other schools. But, these were young kids, and they were having such fun. They were really learning to swim. They got this thing down to a science, and they were having fun at the same time. So, I really want to applaud Shannon and the LAPS Program with what they do to teach kids to swim in our community, Shannon."

Shannon Walsh O'Brien said, "Thanks, Mayor Tecklenburg. Hi, I'm Shannon O'Brien, and I am founder and program director of LAPS (Lowcountry Aquatic Project Swimming). We are a non-profit, and we teach swimming lessons to kindergarten and first graders at 15 Title 1 schools in Charleston County. In downtown Charleston, we have seven schools. We teach from downtown approximately 700 children a year. They get a set of eight lessons in the fall, a set of eight lessons in the spring, and we know we are saving lives. We know we are making children safer in the water, children that have little to no access to water. I also represent today the South Carolina Water Safety Coalition and, Michelle, is here with me as a representative as well, and it is the goal of the State of South Carolina, and close to our hearts for the City of Charleston, to be water safe, to spread the word about water safety awareness. Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Thank you very much."

Ms. O'Brien said, "You're welcome. Thanks."

Councilmember Wilson said, "Mayor, may I speak, please."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "Given that this is my bailiwick. I certainly know these two ladies and, again, your work is great. This is why we have such a push for aquatics in the City, and why we've got to do better. We have to do better. We have children who are tremendously impacted, and let's not forget the adult population, which I specialize in. They are the people who tend to be forgotten in all of this. Together, we can do spectacular work in this community. I will say the term that absolutely makes me a crazy person is when we say, 'drownproofing'. There's no such thing as 'drownproofing'. When I hear about 'we've drownproofed X-number of children' and 'we've drownproofed X-number of adults,' no such thing exists. I'm pretty adept in the water, even in my little inherent state right now, nevertheless, something bad could happen

to me. So, none of us are safe. Water safety is paramount in this community, we're surrounded by it, and I wish as a Council, we would take it more seriously. Thank you."

Mayor Tecklenburg said, "Thank you very much. Keep up the good work. They do a great job, really incredible. So, next, we have a proclamation regarding National Police Officers Memorial Week, and I'll ask Chief Mullen to join me up here, and we will be having our own Police Officer Memorial Day for anyone who would like to join us over at Brittlebank Park on May 12<sup>th</sup>."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Chief Mullen said, "Thank you so much, Mayor."

Mayor Tecklenburg said, "Yes, sir."

Chief Mullen said, "Appreciate that."

Mayor Tecklenburg said, "Chief Mullen, would you like to say a few words?"

Chief Mullen said, "Thank you, Mayor, and thank you members of Council for supporting this proclamation. As you know, each year on May 15<sup>th</sup>, thousands of police officers, their families, and those people who they love gather in Washington, D.C. to add the names of those officers that are killed each year in the line of duty to the memorial wall. We want to make sure that we, in Charleston, do the same thing, and there is a number of events that have occurred around the state. Last week, I was in Columbia for the State Memorial where we added Officer Allen Jacobs from the Greenville City Police Department to that memorial in Columbia. He was killed in the line of duty last March and, obviously, there have been hundreds across the country that have died this year. So, I just appreciate the fact that you recognize the sacrifice and what police officers across this country, and especially here in Charleston, provide to this community. Every day, when they get up, they leave their loved ones, they put on their uniform going out not knowing what they're going to face that day, but they do it anyway for people they don't know, who can do absolutely nothing for them. So, I am very, very proud to represent the members of the Charleston Police Department and the law enforcement professionals here tonight. As the Mayor said, we are the guardians of the community, and we stand between good and evil. Thank you."

Mayor Tecklenburg said, "Thank you very much, Chief."

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "Thank you. I don't know if anybody has ever been down to Brittlebank Park and actually noticed that in the midst of the park there is a memorial to the fallen police officers throughout the course of history of this City. So, they're named there specifically dating back through the centuries now, and if you can't come to the service that we have, next time you're in Brittlebank Park, just maybe take a minute and see if you can find the memorial. It's right there in the middle, and it's a nice way to remember and honor those who have fallen in service. So, we have a public hearing on the agenda. I understand the item is deferred, so we will not be taking any action, but if anyone is here to make a public comment

about the quit-claim deed for a right-of-way on Fairchild Street, now would be the time to come forward. Would anyone like to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "Now, I have another announcement, speaking of public hearings. I don't know if anyone is here tonight to make comments during Public Participation Period about the annexation out at Ashley Hall Plantation. We were hoping to have a public hearing about that matter at our next City Council meeting, and you may recall we were going to have it at our last meeting. We didn't have it because we put the wrong date on the placard that got posted on the property. So, we said we'll do it at the next meeting, and we're going to re-advertise it. So, our good Clerk sends the notice to the Post and Courier, and it correctly states that the next meeting will be on May 23<sup>rd</sup>. But, in fact, people can make mistakes and I have, I guess, an admission of a mistake here from the Post and Courier that they mistakenly placed the ad with the date April 25<sup>th</sup>, rather than May 23<sup>rd</sup>. So, we're going to have to give notice again for that public hearing, and we polled the Councilmembers to have a Special Meeting because I didn't want to wait another month for that matter to be out there. So, at this point, we're planning on having a Special Meeting of City Council on May 30<sup>th</sup>. I think most all, but one or two of our Councilmembers, can be there at 5:00 p.m. at our normal meeting time. That would be a Tuesday, correct?"

The Clerk said, "Correct."

Mayor Tecklenburg said, "Tuesday, May 30<sup>th</sup>, we're going to have a Special Meeting of City Council to take up that particular public hearing and matter regarding the annexation of Ashley Hall Plantation and any other matters that may come up in the intervening week. So, that all being said, the next order of business is to approve our minutes from April 25<sup>th</sup>."

Councilmember Mitchell said, "Move for approval."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "We have a motion and a second, are there any additions or corrections?"

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to approve the minutes of the April 25, 2017 City Council meeting.

Mayor Tecklenburg said, "Next, is our Citizens Participation Period, and as I think everyone might know by now, we have a 30-minute Citizens Participation Period. We have 42 people that have signed up, and if I can do the math on that, that's .71 minutes. So, let's say 45 seconds each. Okay, Mohammed Idris, you're up first. Please state your name and address even though we call you out."

1. Mohammed Idris said thank you for standing up at the Minister's meeting and acknowledging corruption in the police department. He said it was not the intention of the law for the police to be corrupt, but there was also corruption in the ministry, Judaism, Christianity, and Islam. He stated everyone had blood on their hands.
2. Dana Beach said that with regard to the James Island apartment moratorium, the City had failed to ensure that the infrastructure was provided to support the new

development on the Island. He stated a halt on new development would not change that unless it linked with a requirement that infrastructure was provided before the moratorium was lifted. The evidence of not having invested in infrastructure was not only on James Island but in West Ashley and Johns Island, as well. The ordinance should require that the improvements included in the Envision Folly Road Plan be funded before the moratorium is lifted, and the modest improvements that need to be made around The Standard on Maybank Highway also needed to be in place.

3. Katie Zimmerman said she was the Executive Director of Charleston Moves, a local bike and pedestrian advocacy group. She stated that she concurred with what Mr. Beach. She thought transportation infrastructure WAs of vital importance to go along with this moratorium. She noted the importance of Re-think Folly Road. She stated the plan was sitting there waiting to be implemented, and that it was vitally important to the citizens on James Island and anywhere else that the moratoriums were considered, and it gave them the ability to walk and bike and reduce car trips on the road.
4. Frank Hardie of 32 Prioleau Street said that he was in Councilmember White's district and that he attended the Unitarian Church which was in Councilmember Seekings' district. He asked everyone in support of a qualified firm specializing in auditing the police department for racial bias to stand. He said the last time they came to Council they shared a letter written by State Legislator Marlon Kimpson, who wrote in support of the Charleston Area Justice Ministry's call for a qualified audit for police bias. Circuit Court Judge Hughston was in attendance for the Law Day Proclamation that day. He said Judge Hughston stayed to stand with them in support of the audit. He said Judge Hughston had written a letter of his own in support and sent it to several City Councilmembers.

Mr. Hardie read the letter from Judge Hughston thanking the Mayor and all the members of Council for adopting the proclamation for Law Day 2017. The 14<sup>th</sup> Amendment guaranteeing due process and equal protection remained as relevant and important today as ever. In fact, hardly a day went by without those issues being in the news and touching lives. These guarantees were at the heart of the request by the Charleston Area Justice Ministry for an audit. This large bi-racial organization drew support from over 20 churches and thousands of people and had successfully worked with the School Board, County Council, Sheriff and Jail, City of North Charleston, and the City of Charleston to improve practices. I hope that Council can lead an effort to find a way to recognize their concerns about equal protection and due process.

5. Julia Eichelberger said she was a member of First Scots Presbyterian Church which was in Councilmember Seekings' district, and she lived in Councilmember Wilson's district. She said CAJM was founded in 2011 by 16 congregations that were racially, religiously and socioeconomically diverse. She stated there were now 29 congregations and the YWCA, and every year hundreds of their members met in their homes and answered two questions: what kept you up late at night worrying and what made you angry? She said they heard a wide spectrum of issues with schools, housing, transportation, and policing, and every year hundreds of members voted to address one issue. Then they volunteered their time researching the problem by talking to experts and finding best practices that other communities used

to successfully address these issues. She stated they asked their local officials to implement those best practices at their Nehemiah Action.

Ms. Eichelberger said in the past five years, they had done many things. She said they had gotten Charleston School Board commitments to add 280 pre-K slots eliminating the waiting list and giving every child a chance to succeed in school; they got Charleston County Council to fund a wage recovery program giving local workers free legal assistance when their employer didn't pay them fairly; they had worked with the Charleston County School Board and Superintendent for several years urging them to implement programs in their district that were proven to reduce suspensions and arrests in their schools and improve school climate. She stated this year School Board members rushed from their meeting to attend the Nehemiah Action where they agreed to fully fund the training and support for teachers to implement these proven programs. She said they were everywhere in the community and had a significant track record of success and they were not going anywhere.

6. William A. Jackson, Jr. said he lived in the district of Keith Waring, and he was an elder at Wallingford Presbyterian Church in James Lewis' district. He thanked both Councilmembers Waring and Lewis for attending the Nehemiah Action and standing up for what was right. He said he voted for Councilmember Waring, and he planned to vote for him again. He never forgot almost 20 years ago he was stopped by the Police Department of Charleston for a broken headlight while driving some of his friends. He said they all knew it was strategy used by the police department to investigate them and to find reason to lock them up. He said, now that it was 20 years later, there were less than 20% of African Americans in Charleston, but they were still stopped for the same reasons. He said he voted for Mayor Tecklenburg, and he and his wife volunteered for the Mayor's campaign making calls and inviting people to come out and vote for him.

Mr. Jackson stated he told them to vote for Mayor Tecklenburg because he thought he had substance. He said he thought Mayor Tecklenburg was a man of character who saw what was wrong with Charleston and would make a difference. He said he thought Mayor Tecklenburg would make some changes necessary to address these issues dealing with race in Charleston, whether it be with the police department stops or in schools. Continuing, he stated Mayor Tecklenburg had fallen short and that he felt Mayor Tecklenburg got elected and forgot about them and abandoned them. He felt that Mayor Tecklenburg just wanted to keep the City as status quo. The Spoleto Festival was coming up and he didn't want the Charleston image to be ruined for tourists, and he had ignored their call for a real audit that they felt was necessary.

7. Betsy Kinsley said she was a parent on James Island and a resident of the City of Charleston. She thanked the Mayor and Council for their public service to the City and she knew how much they cared about the entire City. She stated they were at a critical juncture. She stated they wanted to work together, be reasonable, support Mayor Tecklenburg and Councilmember Wilson's moratorium. They promised they would be reasonable and would work towards solutions and hope that Mayor Tecklenburg and Council could join them. She said they really appreciated all of their service to the wonderful City.

8. Elizabeth Knowles said she lived in West Ashley and attended Blessed Sacrament Church in Councilmember Moody's district. She had been a member of CAJM since it began five years ago and was a former board member. She remembered when CAJM first decided to address racial discrimination the night before the election in November 2015, and candidate John Tecklenburg was also in attendance. She said many of them thought it sent a strong message that the Mayor would be a Mayor who would stand up for serious issues that impacted the community, including racism, and that night hundreds of them voted to address racial discrimination. She stated they were shocked when Mayor Tecklenburg, Chief Mullen, and every white City leader was absent at the Nehemiah Action two weeks ago, the largest gathering to address racism in the Charleston area. Charleston's image of unity and harmony after the tragedy of Mother Emanuel had elevated the City on the national and international level. After the Nehemiah Action with no white officials attending, she said they questioned if that image of unity and harmony was just a façade.

Ms. Knowles said there was still an opportunity for justice to become truly engrained, and to do the right audit for racial bias. It was the least this Council could do and what the community deserved. She said the officers and community's safety were at stake. She said they wouldn't expect Councilmember Moody as a CPA to audit the police department for racial bias because it was not his expertise. She said they should not waste taxpayer dollars by asking Novak to do something they were not qualified to do.

9. Ann Combs said she supported the two-year moratorium for apartment buildings on James Island and their elected officials were the ones that everyone was turning to for preserving their way of life. She said they knew Charleston was growing but it was just too fast. She stated six months wasn't enough, and they needed to figure out how to do this right because James Island was exactly that. It was an island, and there were no other ways to get off in that it was an island. She asked to preserve their way of life and for the people moving in, so that they had the same chance to experience the Island as they experienced the Island.
10. Ann Birdseye said she was a member of CAJM, the Circular Congregational Church which was in Councilmember White's district, and she lived in Councilmember Shahid's district. She voted for him in the last election as well as for Mayor Tecklenburg. She participated in the research conducted by CAJM, and the data that they collected showed beyond a shadow of a doubt that the Charleston Police Department had a problem. She said the City of Charleston had the highest number and the most racially disproportionate rate of stops of any community in South Carolina. They had heard stories about stops for minor issues followed by inappropriate and accusatory questioning that bore out the statistics.

Ms. Birdseye said the lack of trust and fear in their community was not safe for their fellow citizens, nor their police officers. She stated she was asking the leaders she helped elect to take a real leadership role in assuring that the police department was trusted and earned the trust of all citizens. She asked Council to authorize an audit of policing practices by an experienced, respected police auditing organization with expertise in racial bias. She said Mayor Tecklenburg and many others were invested in revitalizing West Ashley and even hired specialists to help with that and that she saw Councilmember Shahid the other day at the West Ashley High School Community Input Workshops.

Ms. Birdseye said she was a West Ashley citizen, and she looked forward to the results, but asked how a community could be considered revitalized if some of its people were treated like second class citizens by police. She stated the answer for voting citizens was that it could not, and she asked for help moving forward together.

11. Travonte Robertson said he was an elder at St. James Presbyterian Church on James Island in Councilmember Wilson's district. He said he and many others from St. James attended the Nehemiah Action and deeply felt the absence of Councilmember Wilson, Mayor Tecklenburg and all of the other white leaders. He asked how they could be absent when their constituents asked for support, but were present at their church and community events when it was election season to ask for votes and support. He stated he was involved in his church because his faith called him to give back to the community. Several years ago he started a program for teenage boys teaching etiquette and building relationships to support and mentor them through high school and beyond. He said a few years ago three boys in his program went to Ashley Lanes on Sam Rittenberg in Peter Shahid's district.

Mr. Robertson said as the boys were waiting outside for their dates to arrive, and Charleston Police Officers rolled up to them and questioned why they were there and what were they doing. He said the boys were obviously intimidated when the police officers demanded them to empty their pockets and be searched. They complied, and the officers didn't find anything because the boys hadn't done anything wrong, but they were made to feel they were not welcome in the neighborhood, or that they did not have the right to have fun on a night out of bowling, which any teenager or person should be able to do. He stated no matter how many programs he and others started, they could not protect their teens from the reality where they were treated differently by the Charleston Police. He said Council still had the opportunity to show teens and the entire community that they wanted to change this reality and they could do it by hiring an auditor.

12. Paige McCormick said she lived in Byrnes Downs in Councilmember Moody's district, and worshiped at Blessed Sacrament. She stated at the Civil Rights Film Festival Mayor Tecklenburg talked about the importance of stories. She said she couldn't relate to the stories shared by African American brothers and sisters and that no white person could, but they could listen and stand in solidarity with them. She stated it was disappointing when Mayor Tecklenburg and the other white Councilmembers didn't come to the Nehemiah Action to hear their stories and stand in solidarity with them, as there seemed to be a disconnect in wanting constituents to come to them, but not going to them.

Ms. McCormick said there was a great disconnect also in wanting to trust in a firm which referenced 16 cities it had done in prior police work. She said they checked those references and recently researched their population and demographics to see if they were comparable to Charleston, but none of them were. She stated this wasn't surprising because the request for proposals were 32 pages long and only one bullet point mentioned policing. She said it was so small that when they sent it to professional police auditing firms, they didn't bid because it was clear to them that the bid was for a general efficiency audit, not a specialized racial bias audit of the police department.



13. Trena Walker said she was part of the Charleston Area Justice Ministry with Circular Congregational Church in Councilmember White's district. She said in Charleston, South Carolina there was a racial divide so much so that in some areas that just by being black, she was seen as being guilty of something. She had been providing childcare for the CAJM meeting for the last five years. She said she did not drive, so she arrived early for the meetings. She was sitting in the parking lot of the Blessed Sacrament Church in West Ashley, and a concerned citizen decided to call the police on her because she looked suspicious sitting in the parking lot with a bag which contained toys for the kids to play with. She stated she was frightened to be by herself when the police came, so she hid and waited for other CAJM members to come.

Ms. Walker said most recently she was leaving her job and heading to her second job when she was stopped by the Charleston Police because she was walking fast on Elizabeth Street. She stated the reason for the stop was that there had been an increase in burglaries in the area. She said she was just guilty of not using the bathroom before she left her job. She said she loved Charleston, her family lived here, and whether she was in Bayside or at the City Market, whether she was going to work or going to give her family a hug, she had the right to not be perceived as doing something criminal. She said the Mayor and Council in these seats of leadership had a wonderful opportunity to assure her that she could walk the streets in peace and that being black was not a crime.

14. Blakely Adair said she was a member of First Scots Presbyterian Church in Councilmember Seekings' district and lived on James Island in Councilmember Wilson's district. She had been a member of the Charleston Area Justice Ministry since its beginning and was currently serving on the research and steering committees. She stated that as a science professor and as a scientist, she made her decisions based on data. She mentioned they had demonstrated and presented data that showed racial disparity of people who were stopped by Charleston police, but she was more moved by the stories she heard from her fellow CAJM members, especially at a joint meeting they had with St. James Presbyterian Church.

Ms. Adair said their data also showed the high number of stops, and that the Novak Group had not performed a police audit for bias practices. She said if Novak was to be hired for an audit, they would like to know what data Council has to support or show confidence in them, because none of the data that they found showed that they had ever done an audit for bias. She said if Council had that information, they would like to see it and would look forward to working with Council towards this audit for bias practices in policing in Charleston.

15. Nicole Kernodle thanked Mayor Tecklenburg and City Council for acknowledging that James Island needs a plan for future development that is organized and fits its economic structure. She and the citizens of James Island were concerned about the six month timeframe that had been proposed to achieve such a plan. She said she developed a petition and had 1,956 signatures exactly from the people who liked at least a two-year halt in high density housing and apartment development. She stated there were 500 comments made by these people who signed the petition and felt it was important that their voices were heard. Ms. Kernodle said the people of James Island felt their elected officials, town, city and county were not listening to the

- citizens that had elected them, but rather they were listening to developers. She asked everyone who was in favor of the apartment moratorium to stand.
16. Darren Troy Mullinax thanked the Mayor and City Council for allowing him to speak. He was a member of James Island Town Council. He said he did stand in support of the moratorium, and they needed to put a limit on apartment complexes on James Island and any other kind of residential structures until they had the infrastructure to support that. He said they had other kinds of complexes in the past that had gotten some publicity, but he thought the turning point was the one on Central Park Road when the Carmike was forced to close. He thought the people at that point were saying enough was enough.
  17. Margaret Fabri said with regard to the moratorium, six months was not enough, but she thought that Dana Beach was absolutely right, infrastructure was critical. The other thing that she found out recently was there was a study done in 2014 called the Folly Road Corridor Overlay Zoning District. It was Folly Beach, it was the Town of James Island, the City of Charleston, and the County, and she suggested that this report should be investigated before going any further.
  18. Eileen Dougherty said she lived at 1650 Brice Road on James Island and she supported the moratorium on apartments on James Island. She said she would prefer a two-year moratorium during which time Council would focus on the flooding issues that were happening on James Island as a result of the development, traffic, infrastructure issues, and pedestrian safety.
  19. Matt Ruby said he lived at 1650 Brice Road on James Island, and he supported the moratorium on the apartments on James Island. He felt that it had been reckless to allow the fast tracking of development on James Island which his family and he knew firsthand, because they live behind the Broadstone development at the corner. With the effects that it could have on communities and the impacts that it could have on surrounding lands, he would definitely support a two-year moratorium on that.
  20. Caroline Sotka thanked Council for putting the issue of an apartment moratorium on the agenda. She said it signified and meant a lot for James Islanders, but they really stress considering a longer moratorium at a minimum of two years to allow infrastructure to catch up to the race to build and address major issues. She said they also stressed multi-unit zoning should not include just non-residential properties, but any mixed-use properties such as Limited Business and Planned Unit Developments. She stated they wanted connectivity in their neighborhood and their communities, but wanted to start with their neighborhoods and finish ongoing and planned roads, sidewalk and bike road improvements, and setting aside greenspace to offset major development. She said they needed consistent zoning across all jurisdictions and lower residential zoning and wanted to invite Mr. Moody, Mr. Gregorie, and Ms. Wilson to have forums in the neighborhoods that were most affected by this along Folly Road.
  21. Willie Heyward said he had a public interest non-profit law firm off of Sam Rittenberg and his primary clientele were African Americans of Gullah heritage. He said he was there to advocate on behalf of those who lived along the Folly Road corridor because they were in danger of losing the equity that they built up in their properties because of the potential change in zoning was going to cost them to lose most of their equity.

- Further, he said that the property had been passed down through generations and now it was time to reap what their ancestors had sown and now there was an opportunity that they were going to lose most of it because of this moratorium.
22. April McGill said she was a homeowner on James Island, as well as an architect and business owner. She thanked the Mayor for proposing the moratorium on James Island. She spoke in support of it, but also urged Councilmembers to consider an extension so that strategic zoning amendments could be identified, as well as put into place and give time for infrastructure improvements which were drastically needed, also, to make the Island more pedestrian friendly, biker friendly, add more public transit, address existing drainage issues, and to address the quality of life issues that existing James Islanders had.
23. Susan Milliken thanked Mayor Tecklenburg and members of City Council for coming out and listening to them at the end of March. She said they urged Council to address the overbuilding on James Island at that time and they urged Council to think about a moratorium. She said they were thrilled that there was a moratorium on the agenda, but they were concerned that the moratorium spoke to non-residential zonings. She said they were concerned about PUDs, and they realized PUD was not a zoning category but so many of the General Businesses could put together a PUD with the moratorium, and they could build apartments.
- Ms. Milliken said they were concerned about the diverse residential categories because some of those allow for high density. She stated they hoped that City Planning wouldn't do an end-around and continue on with the applications for large complexes. She said they had nothing against people who lived in apartments but it was the fact that the heights and the densities and the surface lots in the parking garages were out of character with James Island. She said they appreciated them looking at this and they hoped they would look at a longer time period and keep working on this and urge City Planning to hurry and address the zoning classifications and the levels of residential density in those classifications.
24. Lindsey Hamrick said she lived in Stiles Point on James Island. She thanked the Mayor and Council for considering an apartment moratorium, but she also agreed with everyone that six months wasn't nearly enough time, and the reason why was because of what had occurred in the past couple of years. Four years ago, the City put together a study group for the Folly Road Overlay which included the County, the Town, the City, and Folly Beach and after meeting for over a year, the City was the only one who didn't agree to the sensible building elements. All three other governments agreed to, including the 35-foot height limits and the 15- to 25-foot setbacks. Then, the staff won a grant to hire a consultant and fund the Re-think Folly Road Study. In early 2016, she attended all of the meetings where the plan was presented. All four governments signed off on it, yet when she read the plan on the very first page it said that the City did not agree to the elements of the Folly Road Overlay. So, two years ago after receiving a petition of thousands of signatures, the City put together a study group to revise the Gathering Place Zoning, but still today that zoning hadn't been revised either. She said with all due respect to the Mayor, Council, and City staff, she did not believe that in six months, one could revise all the zoning on James Island and asked that they extend the moratorium.

Mayor Tecklenburg said, "That's the end of our regular Public Participation Period although I would like to introduce a special, maybe a historic guest to the Council Chambers, being the Mayor of the Town of James Island, who is here with us tonight. Mayor Woolsey, would you like to address the Council? You're welcome to do so."

Mayor Woolsey said, "Yes, I would. Thank you very much, Mayor Tecklenburg and Council. I really want to thank you, Mayor Tecklenburg, for bringing forward this pause in development on James Island, and I very much look forward to hearing further your ideas at the James Island Intergovernmental Council Meeting on Monday night. I think that this is an important first step to working together on James Island, across all jurisdictions, to focus on zoning and planning that builds infrastructure and improves our quality of life. So, I just want to say thank you, again, and, I'm asking Council to, please, seriously consider this first step."

Councilmember Seekings said, "Mayor, while we have the Mayor here, can I ask him a quick question?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you for coming by the way. Has the Town adopted its own version of a moratorium and/or a resolution supporting such a moratorium, not just at the City level, but also at the County level?"

Mayor Woolsey said, "I don't believe that we've passed a resolution. I think we could fix that at our next meeting next week."

There was applause in the Chamber.

Councilmember Seekings said, "I suggest you go to work."

Mayor Woolsey said, "Thank you."

Mayor Tecklenburg said, "Please, no outbursts in the Chamber."

Councilmember Seekings said, "Thank you, Mayor."

Mayor Woolsey said, "Thank you. Any other questions?"

Mayor Tecklenburg said, "So, Mayor Woolsey, thank you for coming. Council, we ceded a piece of territory to the Town of James Island some months ago to enable them to build their own Town Hall on property within their own jurisdiction. So, I was pleased that you didn't come down here to try to annex City Hall."

There was laughter in the Chamber.

Mayor Tecklenburg continued, "But, thank you for being with us. So, next, in Petitions and Communications, I'd like to call on Victor Dover, who is going to make a brief presentation about Plan West Ashley. I know a number of you were present last night where he made a presentation, but some of you missed it, and it's a new day. So, I bet there is even an update based on an exciting day today for Plan West Ashley, Victor Dover."

Victor Dover said, "Mr. Mayor, before I begin, I'm sure Councilmember Shahid who has been Chairing the West Ashley Revitalization Commission would want to start this off. Is that alright to do?"

Mayor Tecklenburg said, "Speak right in the microphone, if you would. Councilmember Shahid is our Chairman of the Revitalization Commission and would like to do an introduction."

Councilmember Shahid said, "Thank you, Mr. Mayor and members of Council. I'm glad to have Mr. Dover and Amy Groves present with us this evening. The Plan West Ashley Project has been underway. It is an arm of the West Ashley Revitalization Commission. We've had four workshop sessions over the last several weeks. One was on the 24<sup>th</sup>, the other was on the 25<sup>th</sup> of April, and two this past Saturday. I'll let these folks give you a little bit more detail about those planning sessions. I just want to thank the Mayor, City staff, and this Council for the support that you have given to the folks of West Ashley. Attending these meetings, attending these workshop sessions has been an explosion of enthusiasm, an explosion of ideas, an explosion of optimism that the plan to revitalize West Ashley is on the right track. You've given the folks of West Ashley a voice, and that is the most important thing that we've done to date with this process. There's a lot of work to be done, we're in the midst of an open session at Citadel Mall, and many of you Councilmembers were present last night for a presentation, and I stayed behind with some other Councilmembers to hear the Open Session comments from other residents who attended for the first time. I just want to re-emphasize the importance of what we're doing with this study and this project, and I'll turn it over to Victor to fill in the gaps. Thank you."

Mr. Dover said, "Thank you, Councilmember. Mr. Mayor, over those four sessions that the Councilmember just described, we had over 560 souls who came and touched the plan by volunteering their time and working over maps and speaking with one another in small groups and large ones. That number has continued to mount over the last two days as we've had more people come to our on-location storefront design studio is an abandoned space within the Citadel Mall. We've set up all of the maps and the computers and have the experts and meetings going on. People are welcome to come this entire week, into that space, and look over our shoulders as we attempt to weave their many plans and visions into one. This will culminate on Saturday with a work in progress presentation. In the center court of the Citadel Mall, we'll have a big screen, and this will be an opportunity for the citizens, planners, and volunteers to come back together once again. They can look up on that screen and see whether we heard them correctly, and what we've missed so far, about their vision for the future. I'll let Amy describe to you one interesting exercise we conducted as an icebreaker that proved very revealing and save the rest for Saturday, Amy."

Amy Groves said, "Well, at our opening events we did something similar at all four of them. We gave everyone a little blue card that asked them to describe one word that comes to mind about West Ashley now, and in the future, in their vision. I think you all might have a handout that shows some of the results; we put them into a word cloud. Basically, what we did was, we entered in all of the responses that we received, and so the more times a response came up, the larger the word gets. So, you can see here, is the result for today. So, obviously, lots of folks said 'congested', 'traffic' came up, but then also 'diverse' and 'home' are fairly large words. So, it's just interesting to get folks thinking, and then in the future, these were the results that we had. The most often written words were 'connected', 'community', 'vibrant', 'walkable', 'beautiful', and, again, 'home' as well. We thought this was interesting and we're, as Victor said, working on drawings at the studio. We're trying to make vivid depictions from these words and all of the other input that we've been getting. We thought this would be something interesting,

kind of a snapshot of some of the input that we've been getting, to share with you."

Mr. Dover said, "So, with that, Mayor, we're happy to answer any questions you have about the work so far. Lots of work remains as we now shift from pure listening mode and interviews and those public meetings, into leaning over the maps and attempting to blend it together into maps, proposed policies, and what have you. We will not be finished on Saturday, but we will hopefully have a loose skeleton or framework of the basic ideas for people to check. Then many, many weeks of work will remain as you all pour over the draft, make it your own, but, we eventually will have a new document that combines rules and policies that shape budgets and zoning and the things like that. It captures aspirations, it's really a communications device that people will use to talk about what they want West Ashley to be when it grows up. You will use that to check all those monthly decisions you make. Then, third a set of instructions, really, for all of the implementers in the whole of government and your private partners in implementing the vision for West Ashley. It'll simply say do these things, one, two, three, four, five, and so on as an instruction kit. If we get it right, this could be a great turning point in the history of West Ashley, in which we restore confidence that growth and change, preservation and government action, and private investment can make things better, rather than worse, in this important part of your town."

Mayor Tecklenburg said, "Are there any questions from Council?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, to put you on the spot a little bit."

Mr. Dover said, "By all means."

Councilmember Moody continued, "In terms of timing, you sort of answered a little bit of it. I know when you first started you briefed us, I think it was November or January."

Mr. Dover said, "December."

Councilmember Moody continued, "You said something like this ought to take about 18 months, but I think Councilmember Shahid said well, 'we want it done by June', and you said you would move 'as fast as we could'. I know we're not moving that fast. So, kind of where will we be when we see something like that, or a basic report?"

Mr. Dover said, "Well, we will have a summary of everything so far Saturday. So, and by all means, join us for that presentation. We'll also put that information on the [planwestashley.com](http://planwestashley.com) website right away following Saturday's report. So, there's already material, and by the end of the week there will already be more material for people to sink their teeth into and think hard on. I would be surprised if it takes us longer than six months from here to produce a very coherent document that has been fully vetted, you've had a chance to let your Revitalization Commission work on. If it takes longer than that, it'll be because you asked to slow the process down and let you think about the hard parts, but that's the goal. Let's do it this year. People have been waiting a long time in West Ashley, as I'm sure you've heard many times, for you all to do this plan, and now we're doing it. By all means, let's go fast."

Councilmember Moody said, "Yes, my statement is, 'I want it done right and not quick.' I was just curious, since you've gotten your feet wet just kind of what you were looking at now. So, that's a good answer. Thank you."

Mr. Dover said, "The good news is there's lots of consensus. That's very evident so far on the vast majority of the items in question, and that means that we can move quickly."

Mayor Tecklenburg said, "Are there any other questions?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'm just curious, during some of the Q&A with the community, did anybody bring up around some of our work centers, like some of the office buildings in West Ashley. How to go about making it easier to literally cross one side of the road to get to the other? For example, the Carriage Lane Office Building, people want to go to lunch, or Fairfield Office Building off of Sam Rittenberg, or the Blue Cross/Blue Shield Building off of Sam Rittenberg. My office is in West Ashley. Most of us get in our cars to go to lunch because it's hard to get across the street to go and walk. So, I'm just wondering if that came from the public at all."

Mr. Dover said, "It has come up again and again, Councilmember, the idea that you not only need more efficient ways to move back and forth along these corridors, but you also need to be able to come across them and to get from one place to another without necessarily, especially for those short trips, needing to use a car with one occupant in it for every move you make. We've heard it again and again, and interestingly, most recently, we had business leader gatherings. This morning, we had the Chambers Business in your Backyard Breakfast. Well, the business folks that attended meeting in large numbers said exactly the same thing, the very same thing, we were hearing from citizen stakeholders over the weekend in the school gym. So, it occurs to me that there is an alignment here along the topic you've raised that ought to be an easy one to agree on as a priority, and then the hard part will be who spends the money, how do they get permission to build it, and what do you do first, second, and third. So, we are already now looking past this to the point where those questions can get some answers as well. Let me say that we've had a similar repeat, a chorus really, of input regarding stormwater management. Traffic and transportation and ways of making it more friendly for walking, biking and transit. Those things are all coming up; so are issues of flooding. So, I want to make sure we give those equal time here. In this situation, we're hearing that again and again. So, we have engineers working on it right now."

## **SECTION II**

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I just want to wrap up here and just remind the public and particularly members of Council, tomorrow we will have our Revitalization Commission meeting at 5:00 p.m. at Citadel Mall. Also there are several technical meetings for stakeholders that provide all of us an opportunity to participate, such as Parks and Recreation and Cultural Affairs, Schools and Institutions, Planning, Zoning, and Design. So, if you want to participate in those meetings, these are open sessions, and if you have a particular area that you're very much concerned about attending, this is a golden opportunity for the public and particularly members of Council to join in those team meetings. So, an open invitation. Thank you."

Mayor Tecklenburg said, "Thank you, Amy. Thank you, Victor. Are there any other questions or comments? We'll be seeing you over the next couple of days."

Mr. Dover said, "Thanks for having us."

Mayor Tecklenburg said, "Thank you for your great work."

Mr. Dover said, "Thank you."

Mayor Tecklenburg said, "Alright. Next, we have a couple of Boards and Commissions, just two. We have the Bicycle and Pedestrian Advisory Committee, which we're proposing to you, and one replacement already on the BZA – Zoning due to a resignation, and I think these names have been given out to you before, at the last meeting."

Councilmember Gregorie said, "Move to approve."

Councilmember Moody said, "Second."

Mayor Tecklenburg said, "Thank you. We have a motion to approve, and we have a second. Is there any discussion?"

Councilmember Seekings said, "Yes, sir. Mayor."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "I know you've been working hard on these appointments, and I appreciate it. It's been very long and cumbersome and laborious."

Mayor Tecklenburg said, "We're almost done."

Councilmember Seekings said, "We are, but I'm going to beg this Council's indulgence one more time on the Bike/Ped Committee. As you might remember, Mayor, at T&T (Traffic and Transportation), we have gone and asked our Council to re-draft the ordinance, which includes partially the makeup of the Bike/Ped Committee. One of the reasons is, because of things that are going on in West Ashley, to make sure that there's representation from the West Ashley Commission on it. There were some other holes in it, and if you see the current ordinance we have, the appointments we have, I'm not sure you could match everybody up. It will be a lot easier if you can just give us until one more T&T meeting to get the ordinance in place to make sure that the people and the ordinance match the people that are appointed. I'm not sure we can do that right now. If we can, it's not done on the piece of paper that we've been given."

Mayor Tecklenburg said, "When is that meeting going to be?"

Councilmember Seekings said, "Well, where's Robbie? Janie's not here tonight, but we can schedule it before the next City Council meeting. I'll make sure that happens. So, if I can beg your indulgence for one deferral on this, I would appreciate it, and I would so move."

Councilmember Wilson said, "I'll second."

Mayor Tecklenburg said, "All in favor of deferring, this is on just the Bicycle and Pedestrian Advisory Committee to defer."

On a motion of Councilmember Seekings, seconded by Councilmember Wilson, City Council voted unanimously to defer the Bicycle and Pedestrian Advisory Committee



appointments.

Mayor Tecklenburg said, "Next, I would like to fill the one position on the BZA – Zoning."

On a motion of Councilmember Gregorie, seconded by Councilmember Moody, City Council voted unanimously to appoint Allison Grass to the Board of Zoning Appeals - Appeals.

Mayor Tecklenburg said, "Next, we're going to have an update on the incredible work that our Planning Department has been doing on the BAR Ordinance and the Old City Height District Amendments. Jacob Lindsey's got it."

Jacob Lindsey said, "Thank you, Mr. Mayor. Thank you, Councilmembers, for allowing us to update you on this ongoing work that we're doing with the BAR, as well as our Height Districts. Also, I'd like to say a thank you to our partners at the Historic Charleston Foundation who helped out with the very first part of this work for the BAR. Members of Council, this is an in-progress update. No action is needed on your part and this, of course, I'm going to attempt to make this a very brief overview of what is the culmination of two and a half years of work to improve the BAR. As you know, you have already partially adopted some of this work by splitting the boards into two, BAR – Large and Small. I'm here to report that system has been working very well for us, and that action has already been taken. That was a big part of this. The second part of this, which we are discussing now, has already been given a first reading by this Council, and it's moving forward. You requested that we work really hard to reach out to stakeholders, landowners, the public, the Planning Commission, and you also asked that we split the second and third readings apart, which we are doing, and that's why we're giving you this in-progress update. Why are we doing this? Why are we updating the BAR? As you all have probably heard this before, fundamentally, it makes a more predictable BAR process. It is beneficial to owners and developers because they understand, and they have security in what they have in terms of their entitlement, but it's also beneficial to neighborhoods because the zoning itself is more in context with the heights of existing buildings. So, it's a rare win-win in that regard. It simplifies the BAR process. I know this is complex, but what we are proposing is less complex than the existing process. It is a simplification. It also prioritizes affordable housing. We have a provision here which allows affordable housing projects to move to the front of the line for the first time. So, this is a really good step to move affordable housing projects forward. Fundamentally, the last reason that we're doing this is because this will create better buildings in Downtown Charleston.

So, four parts, our Corporation Counsel, Ms. Cantwell, has provided a note which is on your desk that discusses these four different elements. I'm not here to discuss this. We've briefed you on this before, and we can do so again when we do the second and third readings. The first is the height study and the amendment to the Old City Height District Map. The second are a set of principles to assess the public and the BAR when they make decisions about buildings. The third are some amendments and improvements to the BAR Ordinance, and the fourth are some Rules of Procedure updates for the BAR. You all don't actually vote on that. The board adopts their own Rules of Procedures, but it cleans up their process, and it makes the board improve their interaction with the applicant. So, there's four parts to it. Now, and I'll go through all of this, we've been working on this since December of 2014. As I said to you all, in March 2015, we split the board into two, which was a great improvement. We have been working to reach out to a number of folks, including all of the folks that you asked us to, the preservation groups, architects, developers, contractors, and that's what we're continuing to do. So, a lot of work is in progress.

Now, a timeline on what we're doing at this moment, we've gotten all of our notices out to landowners, which is every single property owner on the Peninsula, because what we're doing by changing and improving the Height Districts going from feet to height and stories, a really great improvement that we've talked about for years, means that we are rezoning all of the properties on the Peninsula. I want to give everybody fair warning that we're sending out thousands of postcards, and we are also going to be posting with flyers, rezoning flyers, that are going to appear on the whole Peninsula. So, when you start seeing those rezoning flyers go up all over, that's what it's about. It's about our height changes and about our BAR improvements. So, I just want to make sure we don't catch anyone off guard when all those rezoning notices go out. That's what this is about. May 9<sup>th</sup>, that's today, I'm giving you all an update. On Monday, we are going to have our ongoing series of stakeholder meetings. We're going to be meeting with the architectural community, construction development professionals, and property owners. Everybody is invited to these, but we've made a special effort to outreach to those folks who are affected. On May 16<sup>th</sup>, we'll have a Special Meeting of the BAR to discuss these changes with them yet again. On the 17<sup>th</sup> and 19<sup>th</sup>, the notices will be posted on the whole Peninsula. So, thousands of these posters are going to go up notifying people about what's happening. On the 25<sup>th</sup>, we will have the Planning Commission meeting, a Special Meeting, just on this for Planning Commission to consider these. On June 20<sup>th</sup>, this will come back to you for a second reading and a public hearing, and on July 18<sup>th</sup>, we will have a final reading. So, we're taking our time, very deliberate, we're making sure that we're reaching out to everyone as we move forward. The last thing that I have to show you is the Height Map, and these are the new heights. It goes from heights by feet to height and stories. I'm here to answer questions about that, but I want to say, fundamentally, that this map will change. It represents a lot of work by a lot of folks. We have already gotten some great input from our preservation groups that we will take into consideration. We know that in the coming weeks, we will continue to make refinements on the Height Map to get it right, and fundamentally this is a goal. Our goal is to create heights that are in context with our neighborhoods. Right now, our previous heights are by feet. We have heights that are 50 feet in neighborhoods that are one and two stories. We have heights that are not calibrated to their context, and this does that. So, we're very happy with these improvements, and we can discuss details of the four different parts of what's coming before you or this map. So, I'm here to answer questions as needed. This is really just information only to let you know that we are moving forward, and when you see all of those flyers and those notices go out, that's what it's about."

Mayor Tecklenburg said, "Are there any questions for Mr. Lindsey?"

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "Do you have a general sense of how many parcels are actually even available to be developed around construction left on the Peninsula at this point that would be impacted? Because otherwise somebody would have to actually tear something down and rebuild it back to actually have any impact?"

Mr. Lindsey said, "You know, I thought I was ready for any pop quiz question that you might give me, but I'm not ready for that one. It's more than you think, and if you put your decoder goggles on and go walk outside, you will find there are more parking lots and more open parcels than you might think walking around downtown. It's certainly in the hundreds, maybe more than that. We're sending out over, I think it's over 10,000 individual notices. So, there's a lot of parcels on the Peninsula. Of those, there are quite a few are developable, but I can get you all a specific number. I know that we can generate it. It's a lot."

Councilmember White said, "I think it would be important to know the overall impact of making such a significant change, and ultimately, what impact our changes will actually make. Is it thousands or hundreds of thousands?"

Mr. Lindsey said, "Understood, we will certainly look into that, and I would also add to that this, of course, does affect parcels where historic buildings may come down, whether it's by an act of God, or other factor that's acting on an existing building. When something comes down, this will, of course, govern reconstruction on that same parcel. So, it really does affect every single parcel on the Peninsula. We want to make sure we get this right, which is why we're doing all of this outreach and listening to everyone and listening to you as we make these changes. It affects all of the parcels downtown."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I was just looking at a larger version of this map, and I've got a question. What is 'W' and 'WP'?"

Mr. Lindsey said, "Good question, Councilmember. So, there are, within on the Peninsula, a number of areas that we would consider to be sort of Special Districts. They include areas like the Ports, the Medical Districts, certain places that have existing zoning in place that don't really fit height by stories, which is really something that's designed for neighborhoods and our Commercial Districts. All of those districts stay the same. So, 'W' is a Warehouse District, and it applies to the Ports. It's the current height zoning, that's on the Ports. It will stay the same. The Medical Districts, likewise, do not change. Their Height Districts remain the same. So, all of those Special Districts, we don't change them. This is about neighborhoods and about our Commercial Districts downtown."

Councilmember Seekings said, "Can I just ask a quick follow up?"

Mayor Tecklenburg said, "Yes, sir."

Councilmember Seekings said, "Is it a good time, as we're doing this, to at least lead a little bit with our chin, and think about the Eastside of the Peninsula and what that's going to look like in the future and what we'd like to see, because sooner or later the Eastside's going to open up. It's probably time to at least think about it as we're rolling this out."

Mayor Tecklenburg said, "By that, you mean the State Port Authority properties?"

Councilmember Seekings said, "Yes, sir. It's a large chunk of land over there that, eventually, is going to come on the tax scrolls. I don't think it's any secret. It's coming. Okay, thank you."

Mayor Tecklenburg said, "I think we got a little time to work on that one."

Councilmember Seekings said, "Yes."

Mayor Tecklenburg said, "Let's get the rest of the Peninsula done first."

There was laughter in the Chamber.

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "So, the Height Districts over in WestEdge would stay the same as the Medical District?"

Mr. Lindsey said, "That's correct. You will see WestEdge and the Medical Districts all stay the same, no changes to their Height Districts."

Mayor Tecklenburg said, "Alright. Are there any other questions?"

Councilmember Waring said, "I want to ask one, but I'm scared to ask it."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Well, you could save it."

There was laughter in the Chamber.

Councilmember Waring said, "If this were in place, just a 'yes' or 'no', I don't want to get into a war, but if this were in place, would this have helped us with the Jasper?"

Mr. Lindsey said, "You know that I want to defer to Frances on this."

Councilmember Waring said, "I withdraw my question."

Mr. Lindsey continued, "I will say this, that these changes are not about the Sergeant Jasper, they're not about that, but the changes do put the Board on better footing as they make decisions. I believe that these changes allow them to make more legally defensible decisions, as a rule of thumb."

Councilmember Waring said, "Thank you."

Mr. Lindsey said, "Yes."

Mayor Tecklenburg said, "Thank you very much. So, this is kind of a night for updates of various kinds, and next we're going to have a little update from Laura Cabiness, the Public Service Director, on where we stand with our Church Creek Drainage Project, Laura."

Laura Cabiness said, "I'm going low tech."

Mayor Tecklenburg said, "Low tech."

Ms. Cabiness said, "Alright. Good evening everybody. Church Creek. So, we've been going through the selection process to hire a consultant. At the very end of March, March 30<sup>th</sup>, the committee met, and we selected Weston and Sampson. They also are teamed up with DHI. So, Weston and Sampson has a local presence here in Charleston. They did not have any conflicts in the Church Creek Basin, and DHI is short for the Danish Institute of Hydraulics. I said Dutch earlier, so I'm correcting myself now after I looked it back up, but it was the Danish Institute of Hydraulics. So, they have been formed since the early 1900s, and they have expertise and work all over the world in all water matters. So, they're going to be performing the hydrology and the hydraulic analysis of the Church Creek Basin. Weston and Sampson will help do most of the data collection.

The first part of the project, we've got 19 meetings scheduled with the individual neighborhoods and the other individuals in the area. We know from some of the other interactions we've had that discussion with the community is going to be key on this, so we're going to spend a lot of time on that, and we will have similar meetings. We'll repeat the process at the end once we have recommendations for feedback to get back to everybody, but communication will be a huge part of this work and getting feedback from the neighborhood.

The next part of the process will be data collection. They'll actually be going out into the field and inspecting all of the drainage ways in the neighborhood. They will come back and compare that to what's in our existing model. They will completely review and oversee our existing model and compare it to what it is supposed to represent in the field to make sure that it was developed accurately, and if it wasn't, they'll make corrections to that. We, also, will go ahead and plan to update the model. So, ICPR, the program that we've been using to model the basin, has a new version out. They stopped supporting the version we're using. The new version actually allows 2D modeling versus one dimensional modeling in stormwater, and it's come about because of new technology and more powerful computers. So, we can actually model the way water flows across land more accurately than we could with the link and node models that we've used in the past. Also, there will be an analysis of all the existing conditions and the past study recommendations. We're going to identify all of the improvements that can quickly add capacity to the drainage system. We're going to review the calibration data and the consistency of rain events. We're going to continue to review the key structures in the neighborhood. They're going to identify external impacts to the basin, such as flooded wetlands, tidal impacts, and realistic expected amounts of debris. We've already done some of that, but they'll continue to do this in this model. I'm particularly interested in the wetlands impacts because I don't think we've really studied that enough, and I don't think there's enough knowledge out there in the engineering community about the impacts of wetlands and drainage. They're going to go and also do a build-out plan, and they will base a capital improvement plan on any improvements we find on this 2, 5, 10, 15, 20-years and build-out. We will look at the effect of drainage and flooding in the basin based on what the expected land use would be at build-out. All of these recommendations will also take into account sea level rise. They will be looking at trends, new rain events, and the intensity and the duration of storms and make new recommendations for development in that basin.

So, with that, the schedule, they anticipate, we'd like to get this contract to you before the end of May. Obviously, we've got to work on it quickly. The scope has all been negotiated. The price for the contract right now is \$300,000, and it's an hourly not-to-exceed price because, I think, as we go through this process, and we had to develop it so quickly, there may be things that we want to tweak along the way, or things that we find that we need to modify the approach on. They'll be ready to start as soon as the contract is awarded, and if that happens by the first of June, then they will be ready to give us their final report on October 30<sup>th</sup>, so, right before the moratorium ends November 28<sup>th</sup>. That was very key to us to make sure that this work can be completed, so that we have something before the moratorium expires."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "Yes, I, myself and Councilmember Riegel, want to thank Laura. She's done a thorough, and their committee has done a thorough job, of really addressing to this firm that we picked the importance of where we're heading and that part about the wetlands being built, that's critical. I know, Mayor, early on you wrote the Corp of Engineers. That's going to be critical as we develop this. I appreciate the time and effort and

am looking forward to these specific things being done, so we can simply begin to put in motion what we need to do. Thank you."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Maybe I missed it, will this study take into account any drainage that will be relieved from the Church Creek Basin, in other words, an alternative for everything flowing to the Church Creek Basin and then out to the Ashley? Is there any aspect looking at another way to maybe have two accesses to the Ashley River, versus just the Church Creek Basin?"

Ms. Cabiness said, "Sure, and we did that in the original study, and they will also review all the original work that was redone and look for additional opportunities."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Mine is on the moratorium aspect of it, you guys need nine months to pull it off, and as you know, we're having similar issues, maybe not as severe, on James Island. One of the things that I think the moratorium piece that we'll discuss later on does not have, is a drainage study. We have been having discussions with the neighbors on the Island now for about a year, and what you've done so far has been great, but we want to try to find out when, and this might be a question for the Mayor, we need a study, as well. We've talked about it, the WAMBA study, which would encompass Central Park Road, Fleming, Maybank, Folly, and I just can't see us, Mayor, doing a moratorium on James Island in a vacuum. I think it's very essential, and I think when Councilmember Wilson and I approach staff about the moratorium on the Island, one of the things in addition to zoning issues we thought was important to be a part of it, was drainage. What I'd like to know, and I think my other colleagues on Council for James Island would like to know, is when will the WAMBA study start for James Island, and if it can be done in conjunction with this moratorium. We know six months won't be enough time for that to happen, but I think it's very, very important that we do not conduct any moratorium in a vacuum and have some inclusion, so that our constituents would be clear that we're checking on livability and quality of life across the board. Do we have any idea when the WAMBA study will start on James Island?"

Mayor Tecklenburg said, "Do you know that? I don't."

Ms. Cabiness said, "I do. We're working on it now. Right now, we actually want to do that in conjunction with the DuWap study that we're doing on James Island."

Mayor Tecklenburg said, "On West Ashley."

Ms. Cabiness said, "I'm sorry, West Ashley, right, and as we started that process, we're going to use a lot of the work and the methods that we're using in West Ashley on the WAMBA Drainage Study, but we hope that the County is going to help us pay for that study. So, I would say, probably, we could start in four to six months."

Mayor Tecklenburg said, "So, let me also address the general question of flooding and

drainage to development, and I do believe that the best test of future changes to our building codes and entitlements, regarding flooding and drainage, is in fact the Church Creek Basin because it's as bad or worse there as anywhere else in the City. At the same time, it happens that, and I mentioned this two weeks ago, in June we'll have an update for you from Mark Wilbert, who is studying flooding and drainage as an issue of resiliency of our community. So, that's going to address issues like do we allow building to occur in a 100-year floodplain, not just in the Church Creek Basin, but anywhere a 100-year floodplain exists in the City of Charleston. Those kinds of issues are being addressed this year by that resiliency group, and they will be coming to us also in the fall about the same time with, I guess, more overarching recommendations that would apply anywhere in the City, not just in the Church Creek Basin, regarding developing near wetlands or in a 100-year floodplain or in a 500-year floodplain and those kinds of things. If you look out with the sea level rise 30 or 40 years from now, it doesn't make any sense to be building in places that we know are going to be flooding. I would respectfully say we made some mistakes along that line in the past, and we're trying to figure that out now, but we will have that more comprehensive look that will apply anywhere in the City, including James Island."

Councilmember Gregorie said, "Mr. Mayor."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Gregorie said, "But that would not delay trying to do the WAMBA."

Mayor Tecklenburg said, "No, it won't."

Councilmember Gregorie continued, "Which would feed into this hopefully."

Mayor Tecklenburg said, "Correct. Now, that's a specific drainage study as to specific projects that may be done to address drainage in a localized neighborhood just like the DuWap study is, as well."

Councilmember Gregorie said, "That's very important to the islanders because, as you know, there is development, and there is a cause effect, and in many cases the effect is increased flooding, especially in established neighborhoods on the Island. Thanks for the answer."

Mayor Tecklenburg said, "But, I'm told that our current parameters are supposed to require that any new development does not add to a drainage problem. Whether it always meets that or not, I don't know."

Councilmember Gregorie said, "If I may respond, I do think that we need to look at our manual because, right now, we look at rate instead of volume. I really think it's very, very important at this point in time that we look at volume. So, as we go through all of this, I think we need to also look at our stormwater manuals to make sure that they're appropriate for the time, and even more so appropriate for this City, and that we need to go beyond the minimum. We need to look at some of the bonuses that we would give to developers to do extra things in drainage and make that a requirement. I just had to get that out on the record."

Mayor Tecklenburg said, "Right. I don't disagree. Thank you. Councilmember Riegel, did you want to be recognized?"

Councilmember Riegel said, "Yes, thank you, Mr. Mayor. First, I wanted to thank this esteemed body. Several months ago, when you all supported and voted 12 to 1 for the moratorium on the Church Creek flood basin, I certainly appreciate that. At that time, you heard and you understood the ramifications of this rapid building and growth that we're undergoing in the Lowcountry. The secret's out about the Lowcountry, and we can't continue to fill in our marshlands, our wetlands, it's just insane to continue to do so because that's Mother Nature's retention ponds and holding ponds, and I wanted to get that out. I want to thank, Laura, for the marvelous job she's doing. I'm very impressed with the engineering firm that we've selected. We're finalizing the scope of work, so we can include a lot of the different aspects, some of it that my dear colleague, Councilmember Gregorie, is talking about.

I want to change the tone for just a quick second, and something that I'm extremely furious about is FEMA. The total lack of support, best to my knowledge, the interdiction into the many, many residents in Shadowmoss and Bridgepoint, who still to this day, it's hard to believe, still have not gotten any help or assistance from FEMA. It's unbelievable to me and, my beloved colleagues, you will remember when we had our meeting at Bees Ferry in West Ashley, Congressman Mark Sanford walked to the front of that room and said 'whatever you need, we'll help you, we'll get involved,' and I frankly don't understand it. I really don't, and Mark's just disappeared. Now, rumor has it that he's hiking the Appalachian Trail somewhere, but we definitely need to reach out to him. It's just unforgivable for our Senators and our Congress. Laura, you're welcome to chime in. I know you can't say much, but it's something that we're going to have more discussions about. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Ms. Cabiness, you made mention during the WAMBA study that you're hoping that the county would hopefully help and fund that. Have we, Mr. Mayor or Ms. Cabiness, approached the County? Do we need some help with that?"

Ms. Cabiness said, "Yes, we have. We've been talking to the Public Works Department and we've gotten positive feedback. They're actually, we're working on a joint agreement that would help fund part of the WAMBA study and also the Dupont study."

Councilmember Waring said, "Thank you very much."

Mayor Tecklenburg said, "Thank you. So, we'll be bringing you hopefully the contract for approval at our next meeting with this consultant. So, just a couple of quick announcements, I'm sure you all know that Adelaide Andrews retired from the City. She was one of our dear and such a terrific legal counsel to the City for many years. She was our Deputy Corporate Counsel and I'd like to share with Council that we've asked Susan Herdina to be our Deputy Corporate Counsel. You all know Susan and she does such a fine job."

There was applause in the Chamber.

Mayor Tecklenburg continued, "In addition to that, that left an opening in the department and I'm pleased to announce that we've hired Chip McQueeney to be a part of our Counsel Team. Chip, if you would stand and be recognized."

There was applause in the Chamber.



Mayor Tecklenburg continued, "Chip is local. He's from Charleston. He graduated from Furman and the University of South Carolina Law School and served in private practice of his own and then with Pratt, Thomas, Walker. He's also been an active member of this community. He served as President of the largest exchange club in America, the Exchange Club of Charleston, that's the club that runs the Fair every year and donates so much money to our community. Chip was President of that club last year. So, in addition to being a fine young lawyer, he's also an active member of our community and we're glad to have you onboard."

Chip McQueeney said, "Thank you, Mayor."

Councilmember Riegel said, "Mr. Mayor, if I could just add to your comments and accolades. I've known Chip for many, many years and Chip and I have stood in the rain and the sleet down at the Coastal Carolina Fair under his tutelage. If I'm not mistaken the fair draws the largest attendance in the history of the Coastal Carolina Fair and we donate and please correct me approximately \$800,000 to charities throughout the Lowcountry, Darkness to Light, Your Sister's House, all those type of things. It's through leadership like Chip McQueeney that we're able to do that. I know that leadership will be felt by all of us here at the City of Charleston. Thank you, Chip."

Mayor Tecklenburg said, "Thank you, sir, and then one on a sad note and you all may have seen in the paper this morning but just in case you missed it, Mr. Kenneth Greene, who worked for the City for many years has passed away unexpectedly. It's heartfelt for me. When I worked for the City back in the '90s, Kenneth was in my department, in economic development, and the job he had at the time was to manage Building C down at the City Market which was really our daily vendors who came and went every day. Let's just say there are a lot of personalities down there, and then Mr. Greene handled parking enforcement. So, he always had such an even demeanor and such a nice way of dealing with the citizens and the public at large. So, you kind of felt like even if he was giving you a ticket or he was turning you away from the Market, you had to like the guy. He was just so even handed and fair and such a nice gentleman and we're going to miss his service to our City. Next, we're going to go ahead with our Council Committee Reports, Committee on Public Works, Chairman Williams."

Councilmember Williams said, "Move for approval."

Councilmember Gregorie said, "Second."

Councilmember Williams continued, "Item #J.(a.) Acceptance and Dedication of Rights-of-Way and Easements were deferred. Other than that, I ask for acceptance."

Mayor Tecklenburg said, "Alright. We have a motion to approve. I think it's really for information because the one item about Carolina Bay was deferred. Correct?"

Councilmember Williams said, "Yes, it was."

Mayor Tecklenburg said, "But just since we have a motion on the floor, I'll take it on through."

On a motion of Councilmember Williams, seconded by Councilmember Gregorie, City Council voted unanimously to adopt the Committee on Public Works and Utilities Report as presented:

---INSERT PUBLIC WORKS AND UTILITIES REPORT---

**a. Acceptance and Dedication of Rights-of-Way and Easements:**

**Carolina Bay Phase 21B** - Acceptance and dedication of Doubletree Court (50-foot right-of-way [1,311 LF]), Willet Way (50-foot right-of-way [231 LF]), a portion of Conservancy Lane (50-foot right-of-way [1,018 LF]), and a portion of Bethel Way (50-foot right-of-way [285 LF]). There are 64 lots. All infrastructure except sidewalks (bonded) are complete.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Plats
- Exclusive Storm Water Drainage Easements

Mayor Tecklenburg said, "Next, Committee on Ways and Means, Chairman Moody."

Councilmember Moody said, "Move for approval of the Ways and Means Report."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and we have a second. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Moody, seconded by Councilmember Gregorie, City Council voted unanimously to adopt the Committee on Ways and Means Report as presented:

---INSERT COMMITTEE ON WAYS AND MEANS REPORT---

(Bids and Purchases

(Police Department: Approval to submit the FY17 VOCA application for a resource specialist and Elder Advocate salary continuation, supplies, and training for a total of \$117,992. A cash match of \$23,598 would be budgeted for 2018.

(Office of Cultural Affairs: Approval to accept a grant award of \$10,500 from the NEA Big read. Project funds will be used for artistic fees, book purchases and programming expenses. A City match of \$10,500 is required. The match will come from the 2017 MOJA Arts Festival pending grant requests and from paid admissions.

(Parks-Capital Projects: Approval of a Construction Contract with Wildwood Contracts, Inc. in the amount of \$93,497 for the demolition and reconstruction of the McMahon Basketball Court. The project will be completed in ninety (90) days. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved budget. The maintenance contract will obligate \$93,497 of the \$150,000 allotted for the work from the 2017 General Maintenance funding. The funding source for all General Maintenance work is the 2017 General Fund (\$517,000).

(Parks-Capital Projects: Approval of an Aid-to-Construction Agreement and payment to SCE&G in the amount of \$329,610 for providing and installing

underground wiring and appurtenances for eighteen (18) 100 watt metal halide Charleston Series style luminaries manufactured by Hanover, mounted on eighteen (18) 11' black aluminum Charleston Series anchor base poles along Meeting Street from Cumberland Street to Broad Street. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council approved budget. Approval of this action will institute a \$355,600 project budget, of which the \$329,610 Aid-to-Construction Agreement will be funded. The funding source for this project is Hospitality Funds (\$355,600).

(Information Technology: Approve a Memorandum of Understanding between the City of Charleston and Govex whereby Govex through use of data and evidence will provide assistance to the City on City-wide performance management processes, with a focus on Housing Affordability. The focus area is to improve the efficacy of the City's housing affordability performance measures. The technical assistance provided by Govex is at no cost to the City. Govex work is funded by the Bloomberg Family Foundation's What Works Cities Initiatives.

(Budget Finance and Revenue Collections: Approval of a Memorandum of Understanding between the City of Charleston and GPL whereby GPL will provide assistance to the City on researching and developing contracting strategies and other procurement best practices in the City's waste management practices. GPL will assist the City in drafting an RFP for waste management on Daniel Island that incorporates the results of the research and recommendations of GPL. The technical assistance provided by GPL is at no cost to the City. The work is funded by the Bloomberg Family Foundation's What Works Cities Initiatives. This is an after-the-fact approval.

(Request approval for the Mayor to execute the attached First Amendment to Memorandum of Understanding pertaining to the easements and other consideration relating to the development of the new road and related improvements at Bayview Soccer Center (TMS: 428-00-00-013 and 428-00-00-040; Fort Johnson Road). The property is owned by the City of Charleston.

(Authorize the Mayor to execute a Quit-Claim Deed to Melza R. Van Roijen pertaining to 88 Morris Street (TMS: 450-15-02-031) [Ordinance]. The property is owned by Melza R. Van Roijen.

(Consider the following annexation:

2240 Pinehurst Avenue (TMS# 358-15-00-023) 0.30 acre, West Ashley (District 2). The property is owned by Chris Mason.

First reading was given to the following bills:

*An ordinance authorizing the Mayor to execute on behalf of the City a Quit-Claim Deed to Melza R. Van Roijen pertaining to property located at 88 Morris Street, TMS No. 450-15-02-031.*

*An ordinance to provide for the annexation of property known as 2240 Pinehurst Avenue (0.30 acre) (TMS# 358-15-00-023), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by Chris Mason.*

Mayor Tecklenburg said, "Next, we have bills up for second reading, K-1 through K-12, most of which are zoning matters other than K-12, which is a property purchase up in Rosemont."

Councilmember Mitchell said, "Move for approval."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and a second, and do you mean all 12 items?"

Councilmember Mitchell said, "All 12."

Mayor Tecklenburg said, "Yes, sir. Is there any discussion at all?"

No one asked to speak.

On a motion of Councilmember Mitchell, twelve (12) bills (Items K-1 through K-12) received second reading. They passed second reading on motion by Councilmember Gregorie and third reading on motion of Councilmember Seekings. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

**2017-044** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 252 COMING STREET (CANNONBOROUGH-ELLIOTTBOROUGH - PENINSULA) (0.04 ACRE) (TMS #460-08-02-061) (COUNCIL DISTRICT 3), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY FRANK IWANICKI AND CAROLINE VON ASTEN.

**2017-045** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT SAINT ANDREWS BOULEVARD (WEST ASHLEY) (0.24 ACRE) (A PORTION OF TMS# 421-07-00-031) (COUNCIL DISTRICT 11), BE REZONED FROM LIMITED BUSINESS (LB) CLASSIFICATION TO SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CIOFFI ANTONIO TRUSTEE.

**2017-046** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1524 GRIMBALL ROAD EXTENSION (JAMES ISLAND) (0.58 ACRE) (TMS #427-00-00-085) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON MARCH 28, 2017 (#2017-031), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CLYDE AND CAROL SMALLS.

**2017-047** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF,

SO THAT A VACANT LOT OFF FOLLY ROAD (JAMES ISLAND) (0.99 ACRE) (TMS #427-00-00-114) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON MARCH 28, 2017 (#2017-033), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CLYDE AND CAROL SMALLS.

**2017-048** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1522 GRIMBALL ROAD EXTENSION (JAMES ISLAND) (0.41 ACRE) (TMS #427-00-00-008) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON MARCH 28, 2017 (#2017-029), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY FRANCINA BACKMAN.

**2017-049** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY ON GRIMBALL ROAD EXTENSION AND COOPER JUDGE LANE (JAMES ISLAND) (1.19 ACRES) (TMS #427-00-00-081 AND 427-00-00-113) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON MARCH 28, 2017 (#2017-032), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JJR DEVELOPMENT LLC.

**2017-050** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2205 RAMSAY STREET (JAMES ISLAND) (0.25 ACRE) (TMS #343-05-00-125) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON MARCH 28, 2017 (#2017-030), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY EDWARD MUNGO.

**2017-051** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 113 RIVERLAND DRIVE (JAMES ISLAND) (0.55 ACRE) (TMS #343-01-00-006) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON APRIL 11, 2017 (#2017-038), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY MARY AND JAMES GATCH.

**2017-052** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1844 PRODUCE LANE (JOHNS ISLAND) (0.65 ACRE) (TMS #313-00-00-157) (COUNCIL DISTRICT 5), ANNEXED INTO THE CITY OF CHARLESTON APRIL 11, 2017 (#2017-037), BE ZONED DIVERSE RESIDENTIAL (DR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY THE ESTATE OF MARY LURIE HEWETT.

- 2017-053** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2413 SPRING GARDEN STREET (WEST ASHLEY) (0.29 ACRE) (TMS #309-14-00-039) (COUNCIL DISTRICT 7), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JOYCE H. MURRAY.
- 2017-054** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 822 PLAYGROUND ROAD (WEST ASHLEY) (0.23 ACRE) (TMS #418-05-00-302) (COUNCIL DISTRICT 7), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY HARRIETT S. PINCKNEY.
- 2017-055** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A PURCHASE AND SALE AGREEMENT WITH LATRICE R. EVANS PERTAINING TO PROPERTY LOCATED AT 1825 AUSTIN AVENUE, TMS NO. 464-01-00-132, FOR THE SUM OF \$158,400, TO INCLUDE AUTHORIZATION TO EXECUTE A DEED OR OTHER DOCUMENTS NECESSARY TO CONSUMMATE THE SALE IN ACCORDANCE WITH THE PROVISIONS OF THE PURCHASE AND SALE AGREEMENT.

Mayor Tecklenburg said, "So, next, we have our . . ."

Councilmember Seekings said, "Can I ask just a quick question?"

Mayor Tecklenburg said, "Yes, sir."

Councilmember Seekings said, "Is K-13 deferred? Is that going to come back to us? It's gone through all of the processing, and it's gone through the Planning Commission. Is that going to come back to our agenda at our next meeting?"

Mayor Tecklenburg said, "I believe it will come back on our next meeting. Yes, sir."

Councilmember Seekings said, "Thank you, Mayor."

Mayor Tecklenburg said, "So, next, we have bills up for first reading and we really just have the one, the ordinance and you have a copy of the ordinance to have a temporary moratorium on the acceptance or processing of development applications pertaining to properties located in non-residential zoned districts on James Island that exceed 4 residential units or 1,500 square feet of commercial space. Do I have a motion on the floor or you want me to go ahead make one?"

Councilmember Moody said, "I'll go ahead and make a motion. I would like to speak to it and maybe amend what is there, so."

Councilmember Riegel said, "I'll second that motion."

Mayor Tecklenburg said, "We've got a motion to put it on the floor. Yes, sir."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "One of the problems that I always have with moratoriums is there's kind of a sweep, and things get caught up that really shouldn't happen. In this moratorium, the way it's written, with the non-residential and the four units and all of that, there's a piece of property on James Island that is owned by the Berlinsky Family. It's where the Berle Manufacturing area used to be and they're actually developing that as we speak. They've got a contract with Publix that is coming in and that as part of this overall development. They're actually coming before the Design Review Board next week. If we pass this moratorium tonight they're shut out from developing those two pieces of property that are up front, and are part of an overall subdivision. They've been working on this property for years, they've got hundreds of thousands of dollars and it could cause this whole project to go south. So, what I would like to do is to offer an amendment, and I'll just read it and I can hand this to the Clerk. We've discussed this with our Counsel, Ms. Cantwell, she can speak for herself but she's basically approved this. So, I'm going to read it and ask that this ordinance that we're passing be amended and this be put in its place. So, under Section 54-983, Exceptions: Excepted from the provisions of Section 54-981 are development projects that have received a first review by the Technical Review Committee, have received or are on the May 15, 2017 agenda for conceptual approval from the Design Review Board or have received an approved site specific development plan as defined by Section 54-961. So, I would offer that as an amendment to this ordinance."

Councilmember Waring said, "I'll second that amendment."

Mayor Tecklenburg said, "Okay, we have a motion on the floor that's now been amended. Would anyone like to make any comments or discussion?"

Mayor Tecklenburg recognized Councilmember Seekings followed by Councilmember Wilson.

Councilmember Seekings said, "Can we just hear the amendment again?"

Councilmember Moody said, "Okay."

Councilmember Moody said, "Alright. This is Section 54-953, these are the exceptions: Excepted from the provisions of Section 54-981 are development projects that have received a first review by the Technical Review Committee, have received or are on the May 15, 2017 agenda for conceptual approval from the Design Review Board or have received an approved site specific development plan as defined by Section 54-961."

Mayor Tecklenburg said, "So, the intent of this moratorium, frankly, was not to stop anybody that was already in process, in the pipeline as we say. I think the amendment just clarifies that this particular application which is I would call it in the pipeline it's already been to TRC, it's already on the agenda for DRB next week. The application had already been submitted, obviously, for them to be on the agenda. So, the amendment allows them to be able to move on."

Councilmember Moody said, "That's correct. Basically, the ordinance says that they've got to be further down the road . . ."

Mayor Tecklenburg said, "That's right."

Councilmember Moody continued, "That is really what it's saying and that's why I hate moratoriums because I can tell you we've talked about this Church Creek drainage and I've gotten a call from a developer out there and this is what happens. This was a project out there, they had like 15 unit, 15 six-parcel developments and when the economy went south the developer went into bankruptcy. Now, they've been sold and a new developer has come in and has taken the rest of that property, actually they had built two more, or not built them, they had started them but they had to tear them down because they had no value but now we've got a developer that might walk away from that project out there. He was going to build instead of 15, 10 of these units, or they've already got three so it would be seven more, and they had to get half before they got their community pool and their clubhouse and all that kind of stuff. So, this whole project might be stymied out there for more years and so the people that bought those original ones are caught in this jam and so I don't think they're in, it's a matter of where they are. So, I just, that's what's wrong with it."

Mayor Tecklenburg said, "Right. We have that."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "I think Councilmember Seekings was first."

Mayor Tecklenburg said, "No."

Councilmember Wilson said, "Okay, I do want to address this. I've spoken to some James Islanders about this and one of the misgivings was, 'Well, by doing this, we unify the property then and it much, much easier to flip and under the tenants of General Business we can have another apartment complex go in. So, I did a little digging around today and I found out that it really truly is Publix coming in, really truly is. The reason for the delay with the two outbuildings was to accommodate and redesign for the Re-think Folly Project so that there could be the SCE&G easement and potential future bike/ped connectivity, that sort of thing. It's to the point, James Island is so hot right now, and tempers are running so high. I'm getting killed for downzonings. I'm going to go out on a limb, and I'm going to have really ugly things said about me, but I'm going to go ahead and support this one little exception, because this project truly was in the pipeline, it truly is Publix coming in, and if it is lost then the potential downfall."

Councilmember Moody said, "You might have apartments then."

Councilmember Wilson continued, "Huge apartments, and I know I'm going to catch the devil for it. I'll speak to the moratorium when that time comes but I am going to go ahead and support this little, these two outparcels."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Just two points of clarification, there's already the exceptions in the proposed ordinance in that it's just really clarifying what's in there about these types of projects or project that's in the pipeline. The other question is this, we've heard folks who have been advocating for a two-year moratorium which I don't think is an unusual thing to be doing but this moratorium expires 180 days from the first reading and that we have the flexibility if we think it's appropriate in that as I understand that to extend that 180 day period if need be."



Councilmember Gregorie said, "No, we're just dealing with the amendment."

Councilmember Shahid said, "Yes, I'm not saying that. I'm dealing with the amendment but I just understand as a point of clarification this is a 180-day moratorium as written."

Mayor Tecklenburg said, "Right."

Councilmember Shahid continued, ". . . and you have the option if needed to come back and amend that I'm pretty sure."

Mayor Tecklenburg said, "Okay, is there any other discussion on the amendment?"

Councilmember Seekings said, "So, we're voting to bring the amended moratorium to the floor for debate?"

Councilmember Gregorie said, "Yes."

Councilmember Mitchell said, "That's what we're doing now."

Mayor Tecklenburg said, "We can do that."

Councilmember Seekings said, "I just want to make sure."

On a motion of Councilmember Moody, seconded by Councilmember Waring, City Council voted to bring the amended moratorium to the floor for debate.

The vote was not unanimous. Councilmember Gregorie voted nay.

Mayor Tecklenburg said, "So, now, we'll speak to the amendment itself and if I may just lead off and say that the purpose of the moratorium is to have a little time for us to study what needs to be done. I know that our citizens, when we met on James Island, and even here tonight have expressed their concern about the time. The purpose of the moratorium is not to say we're not going to nail any boards together anymore, but to try to make the changes needed so that the future growth of James Island is consistent with the Island, and hopefully in concert with the other governmental entities over there. As Mayor Woolsey mentioned, I'm meeting with them, as is Councilmember Wilson, this coming Monday night. So, my point is, I went to our Planning Commission, I mean our Planning Director, and asked how much time would we need to study the things that we need, to study to make the proposed changes, so that if we were going to address zoning changes that might disallow the kind of apartment density that folks have been talking about in inappropriate places. We felt that we could accomplish that in six months' time. So, if we get that done in six months' time and we make a zoning change, for example, that this site is not suitable for a large apartment complex then we've fixed the problem so to speak. You won't be able to build an apartment complex there for kingdom come unless City Council were to come back and change the zoning again. So, that's the reason for the timing of what we're proposed as we think we want to keep moratoriums as short as possible. We felt that six months was going to allow us enough time to make the necessary thought, thinking, planning, and changes that we will bring back to Council before the end of six months. So, I just wanted to clarify that point."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I'm going to support this, however . . ."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Yes, sir."

Councilmember Gregorie continued, "Second reading, I think it still needs some work. Number one, we talk about intergovernmental and I think that is important, the ordinance doesn't mention that. We talk about drainage; the ordinance does not mention it. We talk about transportation issues, okay, now, somewhere in here it says we're going to make sure that any development does not increase the time for transportation. But, again, I think that somewhere in this ordinance, we need to put in some language with regard to the importance of intergovernmental and drainage. I think that we should also talk about transportation and how that's going to work and I also think I agree with Councilmember Shahid, we should have the ability to extend longer than six months. Now, I know the focus is just on zoning and all that kind of stuff, but my argument is, you can't even do that in a vacuum. We need to look more comprehensively at the Island especially as it relates to the transportation issues, the drainage issues, just the infrastructure issues in general and I just can't see us just dealing with the zoning alone in a study. I think it's a great opportunity for us while we have the moratorium to be a bit more comprehensive in our approach. Six months may not be enough time. We don't know that yet but I still think that this should have the flexibility that if it needs to go longer it can go longer so that we could incorporate some of the quality of life issues that we need addressed on the Island. So, I'm going to vote first reading but I'm asking, as I initially asked staff before this was drafted, that we include a drainage connection. There is none, it's totally silent. I've been totally ignored, not even given a reason why it's not included but I am going to support first reading so that we can get on it, but for second reading, we need to address some of the infrastructure issues as a part of this study."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "I just wanted to bring up a point. Every time we talk about a moratorium especially on James Island, every word is used except this one element, the average one-bedroom apartment on James Island is \$1,400. The average stock on the MSL was 124 houses per month, that's residential houses that are available for sale. The average costs was \$315,000. You're leaving out everything else except no more apartments but what about affordability? How is that Island going to look in the future in terms of diversity? That is a concern. Peter, last night, a young man came up and he asked that same question. How is it that young professionals are going to be able to live in this area with these escalating costs of a Single-Family house and apartments? Columbia, \$850 average. The Ashley, on Ashley River Road, a one-bedroom, \$1,200, Castlewood, one-bedroom \$950, and no one speaks to that. Single-Family houses average \$315,000. Consciously, I'm not going to vote for a two-year moratorium, somebody out there has the capability to work with this City and to build apartment complexes that are under \$1,200 to \$1,400 a month. We've got to be conscious of that if we're talking about being fair in the whole process of the drainage and everything else. Thank you, but I will support it but I just wanted to go on record with that."

Mayor Tecklenburg said, "Well, I agree and that's why we're trying to get the State Legislature to empower us to have inclusionary zoning so we can do that in other parts of the City."

Mayor Tecklenburg announced the order of speakers as Councilmember Wilson followed by Councilmember Mitchell and Councilmember White.

Councilmember Wilson said, "Thank you. To Councilmember Williams's point, with all of the apartments that have gone on James Island, there has been not a single affordable unit put in. So, these are all things that we can certainly take a look at. We've talked a lot, and what I see living over there, is there has to be a comprehensive discussion as to the sense of place. James Island, what do we value? Do we value the trees, the view corridors, and things like that? I think it's the opportune time for the City to look at not just the Re-think Folly Road Plan, but the overlay that everyone else signed onto, specifically why did we not sign on to that, and is it time to re-think that decision? So, those are things that need to be looked at.

Jacob said something earlier that pertained to the height requirement, height changes coming to the Peninsula. He said, 'Heights that are in context with surrounding neighborhoods.' That is a major, major problem that we have on the Island with the potential four-story apartments going right next to the road with a little sidewalk. Again, it's the sense of place. These are things that we've seen, our zonings that carry loopholes that are being exploited by developers. I have a pretty good sense of what is going on there but, again, we may need a broader context. We're at the five-year review with our Comprehensive Plan, and I look at the zoning, I went through my district, and I found a few really wacky things. Zonings that have a little, nice neighborhood, and then all at once, there's this little pocket of Diverse Residential. Why is that there, when the rest of the homes are old, septic tank lots that had to be a quarter acre or had to be half of an acre so that they would work? Where did all this Diverse Residential come from all of a sudden? So, perhaps, it needs to be a little broader. Councilmember Gregorie made some good points. I'm not suggesting that every single ordinance in the City's Code or every single zoning needs to be completely retooled for James Island, but we may need to expand it a little bit. We've talked a lot about infrastructure because we are a sea island with limited ingress/egress. There is only so much infrastructure we can do as far as road improvements and things like that. We've got too many trees. I think we value our trees more than we do our road capacity. Really, I truly believe that about James Islanders. I don't know, really, what to do about that. So, what that means is, we've got to watch what the Island transforms into and whether it turns into suburbia USA, we are not an urban Island, we don't want to be an urban Island, we want to be suburban. James Island has been a bedroom community for many, many years, and we don't have a lot of employment on the Island, maybe little pockets here and there, but everybody leaves to go somewhere else. So, all of these things need to be examined. I'm all for, quite honestly, the James Islanders that are here, we simply don't have the votes on this Council for a two-year moratorium. That's the long and short of it. However, with the six months, with the option to extend, I think that could pass this evening, and we could do a much more top to bottom review of the Island and gain input from Islanders as to what they value, what sort of sense of place they value."

Mayor Tecklenburg said, "I agree, and there's no prohibition in the ordinance for renewal. Council could approve that, if you want to."

Mayor Tecklenburg recognized Councilmember Mitchell followed by Councilmember White.

Councilmember Mitchell said, "I agree wholeheartedly with my colleague, Councilmember Williams, pertaining to housing. When it comes to housing, that's a big thing to me. I don't think many of us, may be, but having lived and stayed here as long as I have back in the '50s on James Island, or on Johns Island. My family goes back on Johns Island almost

600 years, and on James Island. I was on James Island back in the '50s when all of these things were not going on, but then, after this development came, it seemed like it ran all of the people out who were there. When you go down Camp Road, you go down Grimball Road, and you go down these roads, where is the housing for them? There is no affordable housing there for anyone who lives there anymore. I couldn't even live on James Island the way it is now. I barely can live in the City of Charleston, but I'm here now. We don't even have the housing here for people to afford to stay here anymore. We are talking about all of these things, doing all of these things for everyone else, but we forget about what's happening here, and the people that's living here, and what we need to have here insofar as housing is concerned. We have not done a good job with it, and I keep saying that. Affordable housing, yes, we're trying to put in 'affordable housing', but affordable housing is not the terminology that we have here for people to afford. We've got to do a better job. We're building all of these hotels here, the people are working in these restaurants, where are they going to live? They can't live on the Peninsula, they can't live on James Island, and now they can't live on Johns Island. It's a shame. My daughter, my kids can't even live here. We are sitting here and talking about all of these other things, 'Oh, we're going to do this, and we look at trees.' I know so many people whose family members died on those trees on Johns Island and James Island, so it's not funny. I'm not going to recount it, but I'll bring them here, and they'll tell you about it. So, we put all of these things above humans and reality, to me. I sit here and I listen, and I listen, and I listen over and over again, and I wonder where we are going? Where are we going with this? We have to do a better job. I have colleagues sitting here, but we need to do a better job and think about the people. I sit here, every Council meeting, I just sit down and watch. I look around here, and I hear people talking and talking, but they're not talking to the people who are less fortunate than they are. We're all thinking about oneself, and we've got to do a better job than that. I can do better than that. I can say, 'Okay, forget about them. I'm doing fine, I'm doing alright', but no, that's not the way it is. That's not the way we should be. I've had so many calls already about building on James Island, the moratorium, they said, 'Hey, how about us?' All of these calls are coming from downtown in Councilmember Seekings' District, they're coming from Councilmember White's District, they're calling me and asking me, 'Okay, you're dealing with James Island, but how about the Peninsula?' These are the calls I've been getting the whole week. I'll be opening a can of worms, and I tell people every day, I say, 'Okay, we can do it over here', but the people here on the Peninsula still want to know what are we going to do here, because we are facing the same problems insofar as housing and drainage. It floods where I live on King Street. On King and Huger Street, it's been flooding there since I was going to school at Burke School back in the '50s and '60s. It has not changed. President Street has not changed. Ashley Avenue has not changed all of these years, but we all are talking about all of these other things. We are not getting the nucleus right before we go outside. This is where everything started from, right on the Peninsula, and it started spreading out, but we're not getting this right yet. So, if we don't get the nucleus right, everything is still going to fail anyway, in my point of view, and my teaching. So, we've got to do a better job in looking at things a little differently than we are doing things right now. I look at the moratorium, and I might support it. I'm looking at it very seriously, but we've got to do something with the Peninsula because the people are calling, and they're going to come and fill these Chambers the same way everybody else does. They're going to come and fill these Chambers, and what are we going to do then?"

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "We've talked about the 'M' word. Everybody, I think, agrees that we do our best to eliminate the need for a moratorium. I think, there are unintended

consequences to everything that this Council ultimately ends up doing. In this case, the moratorium will have a couple of consequences, I think. Number one is from an affordable housing standpoint, if a moratorium is sustained over a long period of time, it will create further challenges for affordable housing because the demand is going to continue to rise, supply will stay stagnate, and prices will absolutely increase. So, that's a guarantee. The second thing, I think, and that's over a sustained period, obviously. The second thing that really though, as Councilmember Mitchell pointed out, is that it is a slippery slope, because as soon as we use a moratorium in one portion of the City, it is assured that we are going to have people coming to us and our constituents, coming and saying, 'How about a moratorium here, a moratorium here, and a moratorium here?' It is a very, very, very slippery slope. That all having been said, there is one place that I professionally choose not to do real estate investing in the City of Charleston, and it's James Island because it is an absolute traffic nightmare all day, every day. If there's one place in the City that a moratorium is required and needed to make some impact, James Island is it. We've looked at other moratoriums for hotels and other things as they've come forward, and we ultimately decided against those. I'm going to support this because I do believe if there's any one area in the City of Charleston that needs help, we've got to stop the development for some period of time in order to allow for that help to occur, and James Island is it. However, I just want to go on record to say nobody should call me and ask me to put a moratorium on for anything else."

There was laughter in the Chamber.

Councilmember White continued, "Because I have no intentions of supporting further moratoriums across the City."

Mayor Tecklenburg said, "How about hotels?"

Councilmember White said, "We're trying to tackle that one, and I said, 'no' that time, too."

Councilmember Moody said, "Was that in the form of a motion a little late?"

Mayor Tecklenburg said, "We have a motion on the floor."

Councilmember White said, "Right, that's right."

Mayor Tecklenburg said, "Sorry."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I'm going to be very brief. I agree with Councilmember Williams over there. I agree with Councilmember Mitchell over there. I agree with Councilmember White over there, and I agree with Councilmember Gregorie over here. We need to address the drainage problem, not only on James Island. We're doing a good job right now trying to address it on part of the Peninsula, the Septima Clark Expressway. I can tell you right now, and I tell you this every time we talk about drainage, when we get a hard rain people try to come through the Septima Clark Expressway, and they can't. They get off, and they come to Sumter Street. I live on Sumter Street. They come down Sumter to King, and they go to King Street trying to go north. They can't get north because Huger Street is so flooded. The New Market Street basin, I bet you, I'm willing to guarantee you, City staff has never looked at that, and might have no intention of looking at that, but I keep pushing that they need to look at the

New Market Street Basin, which goes over near the Cooper River Bridges, to see if we can do something. They get to Huger Street, and they turn around thinking that they can go around to Meeting Street to go north, to get to Line and King, and they're blocked in. Water, is the problem, and it was created by the South Carolina Department of Transportation. Two years ago, they finally stopped the flooding when you're coming down off of I-26 going to Carolina Street to go to King. The minute they stopped that water from piling up on the edge of I-26, the water started backing up on Line Street. I've spoken to our staff, and I've spoken to DOT. They created the problem. I was told the other day that the engineer that did the job over there has not there anymore, and there are no records. But, we've got to do something because one day, I hope it doesn't happen, but I'm looking for one day somebody is going to die trying to get to the Charleston County Emergency Room through this City, and they can't get to it because we really are not addressing the public safety issue on King Street. King Street is one of the main thoroughfares. Now, if people cannot get down King Street, I wouldn't say between Huger, I would say between Mt. Pleasant and Line. We've got a problem, and we need to address that problem. The last thing I'm going to say, people that work in the City can't afford to live in the City. It looks like they're not going to be able to live on James Island because we don't want any apartments over there. I don't know, we just take all low-to-moderate, poor working people, and we just put them on a bus and ship them to North Charleston, or ship them to Summerville, or ship them to Goose Creek, because they cannot stay in Charleston County. That's all I have to say. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Seekings followed by Councilmember Waring.

Councilmember Seekings said, "Thank you, Mayor. There's so many really good comments around this table tonight that I'm going to be much shorter than I thought I would. Just a little bit of history, I've now sat on this Council for seven and a half years, and if you had told me, and I think anyone else that's been here that long or longer, told me that we would be talking about a moratorium on things and growth from seven years ago I would have said, 'You're crazy', but there were some people who saw this coming, and we weren't listening. That, really, is the people of James Island. They've told us for a long time that there is a lot going on over there and, I think, one of the problems is the governments that are there to help you have been so busy fighting with each other, we forgot to give you what you needed. So, what you're going to get tonight is a moratorium of some sort. I think it's pretty clear you're going to get that vote tonight, but what you need is planning, what you need is long-term thought processes in terms of development, growth, and transportation. You need all of that stuff, and you probably need your own zoning, but the only way to get that is for us to cooperate between governments. The City is not all of James Island, and James Island is not all in the City. You've got the town, and you've got the county. So, I'm going to support this moratorium. I don't think we can get everything done in six months. We'll see what happens in six months, but we can get a lot done. We've got a great Planning Department that's committed to it. It's going to come up with some zoning that works in a suburban setting that maybe wouldn't be urban, but Councilmember Gregorie started this conversation, everybody talked. It's not just about zoning. We've got some flooding issues. We've clearly got transportation issues. When real estate investors tell you they're not going to James Island, it sounds good today. That's not good long-term. It's not, for the reasons that Councilmembers Mitchell and Lewis spoke, and that is no one's going to be able to live there, we'll not be building anything, so it's going to be both impossible to get there and so expensive that no one's going to want to go. So, we've got a lot of work to do, and I would like to see, as part of this, if not for first reading tonight because I

don't want to go through a whole other debate, but at the second reading, that we add to this a resolution from this Council asking every other government that touches on James Island to join in with us, not just in the moratorium, which is what you're getting, but in the planning, which is what you need because we need help. We need help. Re-think Folly Road, which I think Josh Martin is here before he was with the City, let's get that going, let's roll it out, let's get the county getting behind it, and let's talk about flooding and drainage. Affordable housing is a big issue all over the City. You all have all of the problems we have all over the place, but they're here tonight. So, let's see where we are in six months. I'm going to support it. You all need a lot of help. This is the start, and I commend you all for coming out a couple, three, four weeks ago and getting a body that, I think, was very, very skeptical of a moratorium, moratoriums in general. I think that night you probably would not have gotten the votes, but tonight you have because you came out and worked it and your representatives, Councilmember Gregorie and Councilmember Wilson, have gotten with us and convinced us that this is the right thing to do. This is representation at its purest form. Don't yell at them, thank them, okay? They have a hard job, and look, you heard we, downtown, have been getting this for a long time, and there's more coming. So, they're working for you. You might not agree with all of it. You heard there was an amendment tonight to allow a grocery store to be built. I think, probably, long-term you're going to say that was the right thing to do, but you're also going to tell us in six months whether we followed up with doing all of the other things we said we would do. So, I'm going to support it. I want it here back in six months, and I ask this Council the next time we convene to think about asking the other governments, by some formal request and communication, that they join in and help us because we can't do it alone. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I think some of this goes to back to what you said at the last meeting when you spoke in terms of the five boroughs and the uniqueness of the five boroughs, and this is part of that may be vision rolling out. There was a discussion last week, and hopefully, maybe, this is where some of the action steps are. I agree with every Councilmember around this table today. So, I'm proud to be amongst you, I'm going to support it. I wanted to ask about the process, but that's something we can talk about later. In other words, is it just going to be our staff working on this? Is our Planning Commission going to be involved with it? Are Councilmembers from those areas going to be involved? I just wonder how this process is going to roll out once this moratorium gets in place and some of the solutions bubble up to the top."

Mayor Tecklenburg said, "Well, we will be self-starting most of the process, even without an amendment to the ordinance here tonight. As I mentioned, Kathleen has been a member of the Intergovernmental Committee over there for some time, and I agreed, some weeks ago, to attend the meeting Monday night just to discuss this very matter and to try to engage in our partners, and I call them partners, on a path forward. So, it will be unfolding, I think, over the next few weeks, but I want to ask the County and the Town to be full participants of this whether we can tell them what to do or not, but we want to go forward as partners."

Councilmember Seekings said, "I think we've gotten the Mayor, at least, tonight on the record, you were jumping in. So, we've got that on video, by the way."

There was laughter in the Chamber.

Mayor Tecklenburg said, "That's right."

Mayor Tecklenburg recognized Councilmember Shahid followed by Councilmember Moody.

Councilmember Shahid said, "I just want to add my two cents and just reaffirm what everybody else has said around the table so far. I do want to emphasize, Mayor, what you just picked up on and Councilmembers Waring's and Seekings's comment. This is all fine and good, but the coordination of all of the government entities and representatives is important with this process. So, I just want to make sure that we are coordinating with them, and that we've got their support and involvement with this moratorium, and that what we have is an opportunity for more cooperation from those agencies, as well. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I can't be at that meeting on Monday, I'm going to be out-of-town. I will let Bill and the staff over there know, but I think you ought to include Folly Beach in this intergovernmental thing."

Mayor Tecklenburg said, "I think they're a member."

Councilmember Moody said, "Are they going to be included? Have they been coming?"

Councilmember Wilson said, "They are a part of the Intergovernmental Council. Yes."

Councilmember Moody said, "Have they been attending? I don't know."

Councilmember Wilson said, "Spotty."

Councilmember Moody said, "Yes, that's part of our problem. We've got to have everybody at the table, and if they're not showing up, it's a problem. So, it's not just the City."

Mayor Tecklenburg said, "That's right. Okay. Are there any other questions or comments?"

Councilmember Wilson said, "One quick piece of misinformation that I heard this evening that I feel compelled to correct. Somebody stated that the Carmike Theater was forced to close. It was not. It was a corporate decision from the mother company. I sought all of this out. They were closed because it was a small theater in a market that was not doing well, the overall theater market is not doing well, but it was old. They were going to have to put substantial money into it shortly. They made a corporate decision to close and place that property on the market, and a developer swooped in and exploited a loophole in the General Business zoning. That's how that came about. They were not forced to close."

Mayor Tecklenburg said, "Thank you for that correction."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor."



Mayor Tecklenburg said, "Yes, sir."

Councilmember Gregorie said, "I know that this Council has the ability to extend this beyond a 180 days, but could we put some language in here as we vote tonight saying that, I don't know how to draft the language, a '180 days from this first reading with the ability to extend another 180 days' or something? Can somebody come up with some legal language for that?"

Councilmember Seekings said, "I don't believe they have a prohibition against that anyway. It's open to be done anyway, and we've done that. We've extended pilot programs, moratoriums, and we can do that."

Councilmember Gregorie said, "Okay."

Mayor Tecklenburg said, "I think we're good in that regard. If it's the pleasure of Council, it can be extended."

On a motion of Councilmember Moody, seconded by Councilmember Riegel, City Council voted unanimously to give first reading to the following bill as amended:

*An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Article 9 thereof a new part 7 providing for a temporary moratorium on the acceptance or processing of development applications pertaining to properties located in non-residentially zoned districts on James Island that exceed 4 units or 1500 square feet. (AS AMENDED)*

Mayor Tecklenburg said, "So, let's see, next on the agenda is our Executive Session. Council, we have an Executive Session to discuss a legal matter. I don't expect that we're going to take any action, folks, when we come out of Executive Session. If everybody wants to stick around, we can excuse ourselves to go to my office, but what's the pleasure of Council and our citizens? Okay, we'll reconvene in two minutes in my office."

Councilmember Moody said, "I move that we go into Executive Session."

Councilmember Riegel said, "Second."

Mayor Tecklenburg said, "We have a motion to go into an Executive Session."

On a motion of Councilmember Moody, seconded by Councilmember Riegel, City Council voted unanimously to go into Executive Session at 7:23 p.m.

On a motion of Councilmember Lewis, seconded by Councilmember Moody, City Council voted unanimously to come out of Executive Session at 8:40 p.m.

Mayor Tecklenburg said, "We're now back in regular session. Let the record show that no action was taken during the time that we were in Executive Session. I placed on your desks the wonderful remarks from Reverend Thompson at the dedication of the Mother Emanuel Memorial at the airport, and it occurred to me when I heard him speak that it would be a delightful thing and appropriate to put it in the record of City Council. We could do that now or maybe a little closer to the memorial of the anniversary."

Councilmember Gregorie said, "Could we put it in the form of a proclamation?"

Mayor Tecklenburg said, "Certainly, we could."

Councilmember Gregorie said, "Let's put it in the form of a proclamation and then we can deal with it at our next meeting or closer to the anniversary."

Councilmember Moody said, "Good idea."

Mayor Tecklenburg said, "Yes, that'll be fine."

Councilmember Gregorie said, "Alright."

Mayor Tecklenburg said, "Okay. Is there any other business to come before this Council?"

Councilmember Seekings said, "Well, I know they're going to post our ad in the newspaper. Has City Council decided whether or not we're going to add another meeting this summer?"

The Clerk said, "We called people today, but you're the only person we have not heard from, and it was about having a Special Meeting. This would be for the public hearings that we did not have today. Also, we were looking at possibly a workshop instead of two meetings because people have plans."

Councilmember Seekings said, "Oh, okay. We're not going to have two City Council meetings in June? As of now, we're not doing that?"

Councilmember Shahid said, "May 30<sup>th</sup>."

Mayor Tecklenburg said, "Correct. Right now, we're talking about adding one on May 30<sup>th</sup> on Tuesday."

Councilmember Seekings said, "For the public hearings?"

Mayor Tecklenburg said, "For the public hearings and whatever else comes along. Before you all leave, could I also share with you that I've been selected to engage in a Bloomberg Leadership Program for the next year that I'm very excited about. I think it will be very beneficial for me, and they require that I be at this conference from July 16<sup>th</sup> through the 19<sup>th</sup> which is when our July meeting is. So, I hate to ask you so many requests about moving meetings, but it'll be in New York City."

There being no further business, the meeting was adjourned at 8:43 p.m.

Vanessa Turner Maybank  
Clerk of Council